PLAINTIFE EQUAL EMPLOYMENT OPPORTUNITY

COMMISSION

ST. LOUIS-SAN FRANCISCO RAILROAD COMPANY BURLINGTON NORTHERN RAILROAD CO.

CAUSE

Employment Discrimination, 42 USC 2000e et. seq.

Issie L. Jenkins Abner W. Sibal William L Robinson Equal Employment Opportunity Commission 2401 E Street, N. W. Washington, D. C. 20506 Samuel Dasheill Irving M. Miller Vilhemena Mitchel Equal Employment Opportunity Commission Benver Regional Office of General Counsel 1531 Stout Street, Sixth Floor Denver, Colorado 80202 (303) 837-2771 Vale Yurgens Tela Gatewood; Kathleen Hughes **Robertx Mox Jones**x Joseph H. Mitchell (Regional Atty) Heverylyx Ageex *Dadex#kx:Jucqensx Alicia G. Burkman 1900 Racific August Wilson 8303 Elmbrook Drive 75247 Dallas, TX X/52/04X 214/**76XXXXXXXXXXXX** 767-7945 XXXXXXXXXXXXXX (FTS) 729-7945

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FILING FEES PAID STATISTICAL CARDS · CHECK C.D. NUMBER DATE RECEIPT NUMBER HERE CARD 6-10-76 IF CASE WAS 1014 FILED IN 6-1-80 9-18 FORMA PAUPERIS

/O-U-Z3) - /b	A VANDGE / RAKKOW DAUGHERTY
1976	NR.	PROCEEDINGS
6-10 6-16	1.	Complaint, filed, summons issued.s Summons, ret. & filed: served Ben Franklin, Registered Agt., Ok. City on 6-11-76. (USM \$4.00)g
Ø-1	2.	Answer, filed. hm
7-29 7-29		Deft's motion to dismiss portions of pltf's purported claim for want of jurisdiction and or subject matter jurisdiction, filed.k Brief in support of deft's mot. to dismiss, filed.k
7-29		It is ordered by the Court that the Pltf. file a responsive brief w/in ten (10) days to deft's motion to dismiss. (AEB-J)k cps mld
8-9	5.	Pltf's appl. for time til 8-16-76 to respond to deft's mot. to dismiss,
8-11 8-11	6. 7.	filed.k 0 to J Order, filed, granting pltf. til 8-16-76 to file response to mot. to dismiss. (AEB-J)k mld Pltf's brief in opposition to deft's motion to dismiss portions of complaint, filed.s
8-11	МО	Case referred to Magistrate Morris L. Bradford for findings and recommendations on deft's mot. to dismiss portions of compl. (AEB-J)k
9 - 13	8.	Deft's reply brief in support of motion to dismiss portions of complaint and for attorneys fees, filed.s
10-4	9.	Pltf's supplemental brief in opposition to deft's motion to dismiss portions of complaint, filed.s
	10.	Order, filed, overruling deft's mot. to dismiss. (AEB-J)k cps mld
1977 1 - 13	MO	Parties are directed to hold PT conf. on or before 2-25-77 & file PT Order on or before 3-4-77. (AEB-J)k cps mld
1-24	11.	Pltf's lst set of interrogs and request for prod. of documents, filed lm
1-27	12.	Pltf's 2nd set of interrogs., filed. lm
1-28	13.	Pltf's 2nd set of interrogs., filed. lm Pltf's mot. for ext. of pretrial schedule, filed.lm (o to J)
2-1		Deft's renewed motion to dismiss portions of Complaint and for atty fees, filed. lm
2-1		Deft's Brief in support of renewed motion to dismiss portions of Com- plaint and for atty's fees, filed. lm
2 - 1 2 - 1		Deft's motion to strike interrogs. and requests for production of documents, filed. lm
		Deft's memo. in support of motion to strike interrogs. and requests for production of documents, filed. lm
2-1	МО	Ordered by the Court that pltf. is granted ten days from this date to file responses to deft's renewed motion to dismiss portions of Complaint and for atty fees, deft's motion to strike interrogs. and requests for production of documents. (AEB-J)lm ltrs mld.
2-1	18.	Order, fld., granting Pltf. 60 days ext. of the pretrial schedule. Pretrial shall be completed by 4-26-77 and counsel for Pltf. shall present to the Court by 5-3-77 an approved pretrial order. (AEB-J)v -cps. mld.
2-9	19	Pltf's appl. to respond to deft's mots. to dismiss and to strike by 2-21-77, filed.k O to J
2-10	20	Order, filed, granting pltf. til 2-21-77 to respond to deft's mots. to dismiss and to strike. (AEB-J)k cps mld
2-23	21	Pltf's combined mot. for judicial notice & opposition to deft. motion to strike interrog. and requests for prod. of docu. and opposition

PLAINTIFF	[DEFENDANT	
EQUAL EMPLOYMENT OPE	PORTUNITY	ST. LOUIS-SAN FRANCISCO	DOCKET NO.76-C-253-B
COMMISSION	· (4)	RAILROAD COMPANY	PAGE OF PAGES

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	DATE 1977	NR.	PROCEEDINGS
	2-23	21	to deft's renewed motion to dismiss. fld ho
	2 – 25	22	Pltf's brief in supp. of its mot. for judicial notice, its opposition to deft. motion to strike interrog. and requests for production of documents and to deft. renewed motion to dismiss. fld ho
	3 - 1 3 - 1	23 24	Deft. appl. for ext of time to file Replies. fld 0 to J. ho Order, fld. granting Deft. ext of time until 3-15-77 to file its replies in support of deft's mot to strike interrog. & requests, and renewed mot to dismiss portions of complaint and for attorneys fees
	3-15	25	(AEB-J) cps mld. ho Deft. reply in support of motions to dismiss portions of complaint &
	3 – 15	26	for attorneys fees& Deft. appendix to its reply fld. ho Deft. reply in supp of mot for protective order (Motion to Strike Interrog.) and for additional attorneys fees. & Affidavit in support of deft. mot. to strike interrog. and requests (Protective order as
	3–30	27	to manual record search) & Deft. answers to pltf. second set of inter (computer interrog.) fld. ho Pltf. supplemental response to Deft. renewed mot. to dismiss & to strike interrog. and Pltf. reply regarding Pltf. mot. for judicial notice. fld. ho 0 to J.
	4-20 4-25	28 29	Pltf. first request for admissions to Deft. fld. ho Pltf. Mot. for ext. of PT schedule. fld. 0 to J. ho
	4-26	MO	The Court has for consideration the appl. of pltf. for 60 days to
	4 20	FIO	file PT Order, and, being fully advised in the premises, finds that the same should be granted. IT IS, THEREFORE, ORDERED that the mot. of pltf. for 60 day ext. of pre-trial schedule is granted & counsel are ordered to complete PT conf. among themselves by 6-24-77 & counse for pltf. shall present an agreed PT Order to the Court for signature by 7-1-77. (AFB-J)k cps mld
	5-5 5-5		Pltf. mot. to require preservation of Defts. records.fld. ho It is ordered by the Ct. that the Deft. file a responsive brief w/in 10 days to Pltf. mot. to require preservation of Defts. records. (AEB-J) cps mld. ho
	5-6		Exhibits 1 and 2 to pltf's mot. to require preservation of deft's records, filed & attached to said mot.k
	5-10 5-10	31 32	Defts. response to Pltf. first request for admissions. fld. ho Amendment of Defts. mot. for protective order (Mot. to strike interr. fld. ho
	5-10	33	Defts. memorandum in supp. of amend. of mot. for protective order
	5-10	MO	(mot. to strike interrog.) fld. ho It is ordered by the Ct. that the Pltf. file a responsive brief w/in 10 days to amendment of Defts. mot. for protective order (mot. to strike interrog.) (AEB-J) cps mld. ho
	5-16	34	Deft. response and brief to Pltfd. mot. to require preservation of Defts. records. fld. ho
	5-23	35.	Pltf's brief in opposition to deft's amendment of deft's motion for protective order (motion to strike interrogs.), filed. lm
	6-7-	MO:	Case referred to Magistrate Robert S. Rizley, for findings & recommendations on pending motions. (AEB-J)b

NAIL DOCKET CONTINOATION SHEET				
PLAINTIFF EQUAL 1	EMPLC	YMENT OPPORTUNITY	DEFENDANT ST. LOUIS-SAN FRANCISCO RAILROAD CO.	DOCKET NO. <u>76-C-253-</u> B
COMMIS	SION	·	HATHIOAD GO.	PAGE OF PAGES
<u>የ</u> 9፟ቻ7	NR.		PROCEEDINGS	
6-30	36	Pltf. mot. to strik PT schedule. fld. h	e case from PT docket or alterna o O to J.	atively, to extend
6-30	37.	Order, filed, striking pre-trial setting. To be rescheduled at a later date. (AEB-J)k cps mld		
7-11	38		their response to Pltfs. first	request for admissions.
7-14	МО	Case set for hrg. or 11:30 a.m. (RSR-Mag	n pending mots. before the Mag. g)k ntc by KT	on 7-29-77 at
7-18	MO		7 at 11:30 a.m. is stricken and e the Mag. on 8-12-77 at 2:00 p.	
8-3 8-5	39 40	Affid. of Dennis T. Pltf. suppl. to Plt: Pltfs. first and see	Rathmann in supp. of Defts. motes. opposition to Defts. mot. (a cond interrog. and Pltfs. first of John A. Peak, Robert M. Jone	s amended) to strike request for
8-12	Min	recommends deft's r for atty's fees be	on pending mots. Parties represented mot. to dismiss portions sustained. Deft. counsel to produce and 20 days. All other mots. passements.	of compl. and epare findings &
8-31 9-12 9-12	41. 42 43	Pltf. mot. for subs Pltf. mot. for ext.	dations of the Magistrate, filed titutuon of counsel. fld. ho O of time to file obj. to finding	to J.
9-13	44.	of Mag. fld. ho 0 to Order, filed, that motion objections to F&R.(AEB-	on is granted & Pltf. is granted til	9-26-77, to file
9-13	45	Order, fld. that Ms	. Wilhemena Mitchell be, substit of record for Pltf. (AEB-J) cps	cuted for Dale
9-26 9-26		Pltfs. objections to	Mag. findings & recommendation the Deft. is granted 10 to file	s of 8-31-77. fld. ho
10-5	47	to Pltfs. Objections Defts. ans.brief to	s to Mag. F&R. (AEB-J) cps mld. Pltfs. objections to Mag. findi	ho
12-9	48	of compl. is sustained mot. to strike integrated uments (Mot. for Proprotective order arrequest for product discovery as to the IT IS FURTHER ORDER for the reasons that of racial discrimination require preservation.	RDERED that Defts. remewed mot. ned . IT IS FURTHER ORDERED the rrog. (Two Set) and request for tective Order) & amendment to Design e sustained to the extent that ion of documents &/or requests two dismissed claims of allege ED that Pltfs. mot. for judiciate Pltfs. mot. relates to the two ation. IT IS FURTHER ORDERED to of Defts. records is overrule mots. for atty. fees are held -J) cps mld. ho	at Defts. original production of doc- efts. mot. for such interrog., for admissions seek d racial discrimination l notice is overruled o dismissed claims ha Pltfs. mot. to d. IT IS FURTHER
12-13	MO		ed to hold pre-trial conf. on or trial order on or before 1-31-7	2

PLAINTIFF		DEFENDANT	
EEC	OC	ST. LOUIS-SAN FRANCISCO RR Co. DOCKET NO. 76-C-25	
19975	NR.	PROCEEDINGS	
12-23 12-23 1978		Defts. requests for admissions. fld. ho Defts. interrog. to Pltf. fld. ho	
1-6 1-6	51. MO	Pltf's appl. for 90 days to complete pre-trial, filed.k Deft. is ordered to file formal objections, if any, to pltf's approximation of pre-trial schedules on or before 1-13-78. (AEB-J	ol. / J) k
1-13	52	Deft. objection to continuance of Pre-Trial with brief in supp. o 1) obj. to third continuance of PT & 2) relief from improper, unreasonable and financially oppressive interrog. & Friscos memo PT brief. fld. ho)f
2-6	53.	Pltf.'s response to Deft.'s 1st Request for Admissions, fld. v (SEALED) with Pltfs. ans. to Defts. interrog.(no longe sealed 3-6-18)	100 ST
2-15	54	Defts. mot. to dismiss under rule 41(b) & to assess consts, & bri	.ef
2-15	МО	in supp., fld. ho It is ordered that the Pltf. is granted 10 days to file a respons brief to Defts. mot. to dismiss under rule 41(b), and to assess costs. (AEB-J) c/m ho	
2-22	55	Pltf. memorandum in opposition to Defts. mot. to dismiss under Ru 41(b) & to assess costs. fld. ho	ule
2-22	MO	Case referred to Mag. Robert S. Rizley pursuant to Order M-128. (J) k	AEB-
2-23	MO	Case set for hrg. before the Mag. on deft's mot. to dismiss and to assess costs on 3-6-78 at 11:00 a.m. (RSR-Mag)k ntc by KT	0
3-6		Case called for hrg. before the Mag. on pltf's mot. to compel defto answer interrogs. and deft's mot. to dismiss and to assess cost and mot. to require pltf. to answer interrogs. Parties represent Mag. recommends deft's mot. to dismiss and to assess costs be overuled & mot. to require pltf. to furnish answer to interrogs. be sustained. Pltf. counsel to prepare F&R & proposed Order on deft mot. to dismiss w/in 10 days & deft. counsel to prepare F&R of th Mag. & proposed Order w/in 10 days on deft's mot. to require pltf furnish answers to interrogs. Pltf's mot. for ext. of time to fi pre-trial order sustained & parties granted 60 days to complete P Pltf. given 15 days to file brief regarding class action & deft. days thereafter to respond. Pltf's mot. to compel taken under ad visement pending ruling on class action issue. (RSR-Mag)k	ts ed. r- 's e to le TO.
3-9		Order, filed, that pltf's request that its Answers to deft's Inte and Responses to deft's Request for Admissions remain under seal the office of the Clerk is denied. (RSR-Mag)k cps mld	in
3-13	57	Pltf's mot. for ext. until 4-15-78 to file its brief on whether t suit is maintainable as a class action and the D. H. Holmes decis is applicable, filed.k	
3-14	58	Deft's memo objecting to delay in filing of pltf's brief, filed.k	
3-21	A PARTY OF THE PAR	Findings & Recommendations of the Mag., filed. Mag. recommends t deft's motion to dismiss under Rule 41(b) and to assess costs be nied. (RSR-Mag)k ops mld	de-
4-4	60.	Order, filed, that deft's mot. to dismiss under Rule 41(b) is overuled. (AEB-J)k cps mld	>r-
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19478	NR.	PROCEEDINGS	A TOTAL CONTINUES OF THE STATE
4-17	МО	on whether this suit is maintainable as a class action and deft's objection thereto, and the Court having considered the matter and feeling that the Court should have the benefit of all briefs in the consideration of this question, and, being advised that the brief which is the subject of the mot. and obj. has been received by the Clerk's office, finds that such mot. should be granted, obj. over-	
4-17	61.	ruled and pltf. granted permission to file the bri IS SO ORDERED. (AEB-J)k	ommission to cer- 's assertion that
5-2	62	Deft: appl. for ext. of briefing time, fld. ho 0 to	
5-3	63.	Order, filed, granting deft. until 5-22-78 to respon class action. (AEB-J)k cps mld to movant	ond to pltf's brief
5-22	64	Deft. appl. for ext. of briefing time, fld. ho 0 to	J.
5-22	65	Order, filed, granting deft. until 6-1-78 to respon relating to class action status. (AEB-J)k cps m	d to pltf's brief ld to movant
5-25	66.	Deft's response brief to pltf's assertion that suit commenced and/or can now be maintained as a class a costs including atty's fees, filed.k	t was originally action, and for
6-14	МО	Case referred to Mag. Robert Rizley for considerati issue pursuant to T. 28 USC §636 et seq. and Order	
6-15	67	Deft's request for production of documents, filed.k	
6-22 7 - 5	MO:	Case set for hearing before Mag. Rizley on class action issue 1:30 P.M. (RSR-Mag) b nts by KT Case called for hearing on class action issue. Parties pres. I advisement. (RSR-Mag) b	·
9-13	МО	Mag. recommends that deft's obj. to class action be pltf's mot. to compel deft. to answer interrogs. re overruled. Deft. counsel to prepare F&R and Order (RSR-Mag)k cps by PW	class action b ϵ
10-6	68	Mag. F/R, fld. Mag. recommends that Defts. request atty. fees be deferred until final judgment is ente (RSR-Mag.)ho c/m	for an award of ered in this case.
10-18		Order, fld. It is ordered that this suit not proceed action, but as an action limited to the one individence on behalf of Deborah Bauman. It is further ordered to compel Deft. to ans. the objected to interrog. to issues is denied. It is further ordered that Defts. award of atty. fees be deferred until final judgment (AEB-J)ho c/m	ual claim asserted that Pltfs. mot. ouching on class request for an
11-17		Parties are directed to hold a pre-trial conf. on of file an agreed pre-trial order by 1-12-79. (AEB-J)	

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	DATE 1978	. NR.	PROCEEDINGS	
_	12-26	70	Pltf. mot. for ext. of PT schedule, fld. ho O to J	•
	12-27	71	Order, filed, granting parties until 4-5-79 to hold until 4-12-79 to file an approved pre-trial order	a pre-trial conf (AEB-J)k
	<u> 1979</u>		cps mld to movant	
	1-29	72	Pltf. atty. Wilhemena Mitchell, request for permis as atty. of record, fld. ho 0 to J.	sion to w/draw
	1-30	73	Order, filed, granting pltf's mot. for w/drawal of atty, Wilhemena L. Mitchell. (AEB-J)k cps mld t	o movant
	3-1	74	Pltf. mot. for substitution of counsel, fld. ho 0	
	3-2	75	Order,fld,that Dale H. Jurgens be substituted as con (HDC-J)ra cps to mvt	-
	3-2	76	Pltf's third set of interrog, second req. for produand second req. for admissions, fld.ra	action of documents
	3-16-79	MO:	Case transferred to Judge Fred Daugherty (JCS-Clk)	
	4-2	77	Defts. mot. to require Pltf. to separately present & consecutively number purported discovery under Rifld. ho	& to separately ales 33, 34, &36,
	4-2	78	Defts. memo in supp. of mot. to require Pltf. to se consecutively number purported discovery , fld. ho	eparate &
	4-2 4-2	79 80	Defts. mot. to require EEOC to produce party for de Defts. memo in supp. of mot. to require EEOC to pro	epo. fld. ho oduce party for
	4-2	81	depo., fld. ho Defts. mot. to compel Pltf. to produce for inspects	ion & copying
	4-2	82	documents, or alternatively to dismiss action, fld Defts. memo in supp. of mot. to compel Pltf. to proinspection & copying documents, or alternatively to fld. ho	oduce for
	4-2	МО	Pltf. is ordered to file a responsive brief by 4-1	7-79 to Defts.
			1) Defts. mot. to require Pltf. to separately prese discovery; 2) Defts. mot. to require EEOC to produce 3) Defts. mot. to compel Pltf. to produce for inspedocuments, or alternatively to dismiss action. (FD-	ce party for depo.;
	4-3 4-3	83 MO	Deft. appl. for ext. of time to complete PTO, fld. It is ordered that the parties are granted an ext.	ho
	4-19	84	before Judge Daugherty, parties will be notified. Pltfs. response & brief in opposition to Defts. moto produce for inspection & copying documents, or a	c/m by movant to compel Pltf.
	4-19	85	dismiss action, fld. ho Pltfs. response & brief in opposition to Defts. motoresent & to separately & consecutively number prop	. to separately
	4-19	86	under Rules 33, 34, & 36, FRCP, fld. ho Pltfs. response & brief in opposition to Defts. mot to produce "Party" for deposition, fld. ho	_
	4-30	87	Deft's reply brief in support of mot/compel or altemiss action, filed out of time w/ leave of Court.	ernatively to dis- (FD-J)k cpy to de
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<u> 1979</u>	NR.	PROCEEDINGS			
5-18	88	SUPPLEMENTAL RESPONSE of Pltf. to Defts. mot. to co	ompel or alternati		
6-7	89	SECOND INTERROGATORIES of deft. to pltf. rm			
6-7	90	SECOND REQUESTS for admission of deft. to pltf. rm			
6-14	91	LETTER from deft., as addl. brief in support of mo	/compel. rm		
6-27	92	ORDER, It is ordered that Defts. mot. to require Pltf. to separat present & to separately & consecutively number purported discovery is granted. Deft. is granted 30 days from the date of service to respond thereto. It is further ordered that Defts. mot. to require EEOC to produce party for depo. is overruled. It is further ordered that Defts. mot. to compel Pltf. to produce for inspection & copying documents, or alternatively to dismiss action is held in abeyance until suc time as the Ct. has received & reviewed the documents in camera. Pltf. is hereby ordered to provide the Ct., w/out del , for in camera inspection, the files referred to above, in their entirety. (FD-J)ho c/m			
7-10	93	RESPONSE of Pltf. to Defts. second request for adm	. ho		
7-13		IN CAMERA files & documents received from EEOC pursuant to order of 6/27/79. rm (in sealed folder w/file)			
7-17	94	ANSWERS TO INTERROG. Pltfs. ans. to Defts. 2nd. int	errog. ho		
7-26	95	PLAINTIFF'S 2nd Request for Admissions. g	renadaren 18a - en segien erraldi alterra irren arran arran eta eta eta erren erra arran arran disserbia basia Er		
8-27	96	RESPONSE AND OBJECTIONS to Pltf's 2nd Request for	Admissions by deft		
9-21	97	THIRD SET OF INTERROG. by Pltf. to Deft. ho			
10-23	98	APPL. of deft. for ext. of time to respond to pltf. with ORDER granting to 10/29/79.(FD-J)rm-c/m	3rd interrog.,		
10-23	99	ORDER, that pltf. req/prot. order denied; deft. mo/compel partially granted, pltf. to make documents available to deft. in 30 days from this date; further deft. mo, as it relates to pltf. claim of work product privilege is denied.(FD-J)rm-c/m			
10-29	100	MOTION of Deft. for protective order, ho			
10-29	101	BRIEF of Deft. in supp. of mot. for protective orde	er. ho		
10-29	МО	ORDER, Pltf. is ordered to file a responsive brief Deft. mot. for protective order. (FD-J)ho c/m	by 11-13-79 to		
11-9	MO:	CASE TRANSFERRED TO JUDGE JAMES O. ELLISON. (JCS-C	. •		
11-13	102	MOTION of pltf. for ext/time to respond to mot/pro	tective order. g		

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	DATE	NR.	·	PROCEEDINGS	
	1979				
	11-14		ORDER granting ext	. until 11-21-79.(JOE-J) cps/mc	v cs
	11-19	103	RESPONSE by pltf. t	to deft's mot/protective order.	ς
-	12-10-7	9 104	MOTION by plainting	ff for a protective order.cs	
)	12-10-7	9 105	BRIEF in support of	f pltfs. motion for protective	order cs.
	12-10-7	9 MO	DEFT. is ordered to for protective	file a responsive brief to plt order.cps/mld.cs (brief to be	fs. motion in by 12-23-79.)
	12-20	106	MOTION of deft. to	dismiss under Rule 41(b), FRCP	.k
	12-20	107		deft. in resp. to pltf's mot/prof deft's mot/dism.k	otective order &
	12-20	МО		o file a response by 1-2-79 to eps mld	deft's mot/dism.
	12-31 1980	108	APPLIC. of Pltf. for under Rule 41(b)	extens. to file response to de ,FRCP. b O to J	eft's mot/dismiss
	1-2-80	109	ORDER granting pltf. 1-14-80.(JOE-J)c	ext. to file resp. to defts. mos cps/mov.	ot/dism until
	1-11	110	BRIEF of pltf. in op	pposition to deft's mot/dism. u	nder Rule 41(b).k
	1-25	111	APPLICATION of deft to mot/dismiss	for leave to file reply brief ra (0) brief attached	to pltf's resp
•	1-29		ORDER(part of applic brief instante	e) that Clerk is permitted to fire.(JOE-J)ra c/m mvt	ile deft's reply
	1-29	112	REPLY BRIEF of Frisc	o in support of mot/dismiss.ra	
	2-14	MO:		rive order and deft's mot/dismission A.M.(JOE-J)b nts mld	ss set on
	2-22	Min.	sustained. Deft Cut-off of disco 3-13-80 to have 3:30 P.M. PT men	ents made. Ct. rules pltf's mot mot/dismiss denied & mot/prot. ov. this date, except both part depos. 2 parties ea. PT HRG se mo or order due 3-12-80. N/J trobb nts of PT mld	order granted. ies given to t 3-13-80, at
	2-22	113	ORDER, re: hrg. this	s date.(JOE-J)b c/m	
	3-3-80	114	NOTICE of pltf to to field, MO.ra	ake depo of S.I. Poertner on 3- (subpoena & cp of ntc to MO c enve	10-80 at Spring- lerk in pltf's lope)

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PLAINTIFF		·	DEFENDANT		
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1980					
3-5	MO:	N/J trial set 4-7-8 n/m	0, 9:30 A.M. Sugg. F/F & C/L due	e 3-31-80(JOE-J)b	
3-10	115	APPL. of deft. to 6	enforce Court's protective Order	& to impose Rule	
3-10	116	MEMO of deft. in so	apport of appl/enforce protectivions.k	e order & for	
3-13	Min.	enforce Prot/order 3-31-80 list of ex	PT HRG. Ct. allows Pltf. to 3-21-80 to resp. to deft's applic to enforce Prot/order. Ct. will prepare PTO. Parties to file by 3-31-80 list of exs to be offered, wits lists, brief substance of test., trial briefs & prop F/F & C/L.(JOE-J)b		
3-20	117.	RESPONSE of pltf. t	o deft. appl/enforct prot. orde	r & impose sanct.rm	
3-21			Poertner on 3-10-80 taken by Dav n behalf of pltf.lm	vid L. Argie,	
3-26		DEPOSITION of Deborah Bauman Schott; 3-7-80; Ventura, CA; Ventura County Reporting Service; signature waived.k		ca, CA; Ventura	
3-31	118	ORDER that deft's appl. to enforce the Court's protective order be granted but mot. to impose sanctions be denied. On or before 4-5-80, deft. is to produce to the pltf. for inspection any document which S. I. Poertner brought w/ him to the depo. held 3-10-80. Deft. maintains right to obj. to admissibility of the documents if offered as evidence at trial. NO FURTHER DISCOVERY IS TO BE HAD. (JOE-J)k cps mld		id. On or before inspection any to the depo. held missibility of the	
3-31	119	TRIAL BRIEF of plt:	f. filed under seal of the Court	.k	
3-31	120	LIST OF WITNESSES t	co be called by pltf.k		
4-1	121	PLTF'S LIST OF EXHI	BITS. b		
4-1	122		support of applic. to enforce C e 41 sanctions. b	t's Prot. Order,	
4-1	123	FRISCO'S TRIAL BRIE	EF. b		
4-1	124	DEFT'S WITNESS LIST	C & SUMMARY. b		
4-1	125	DEFT'S EXHIBITS. b			
4_2	126	DEFT'S PROPOSED F/	F & C/L. b		
4-2	127	PLAINTIFFS F/F & C	/L.cs		
4-2		DEPOSITION of Carni Walker, CSR.k	s Salisbury, by deft., on 3-13-	80 before Patricia	
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PLAINTIFF		DEFENDAN	Т	
EEO	С	ST.LOUIS	E-SAN FRANCISCO RR	DOCKET NO.
				PAGEOFPAGES
DATE	NR.		PROCEEDINGS	
4-3-80		USM RETURNS on subs: served Charles L. Bookout, Harold E. McBrid Alan Woodside, Curt D. Deckard & Timothy Brown on 3-25-80; L. C. Carter on 4-1-80; Jim Moriondo 4-3-80. \$(29.96)g		
4-3-	128	PRE-TRIAL ORDER.(JOE-J)b c/m	ı.	
, 4-4	129	AMENDMENT to Pltf.'s list of	exhibits. b	•
4-4	130	AMENDMENT to Pltf's list of	Witnesses. b	
4-10	To make the state of the state	USM RETURNS on subs: served 4-4-80 & Phines Bell, Jr	Doris Williams 4-3-80; c. 4-7-80. (\$10.72)g	G. L. Quinten, Jr
4-9	Min.	N/J trial held 4-7, 4-8 & 4-9-80. Dennis T. Rathmann admitted for this case only. Pltf presents case w/test. of wits. Pltf exs. admitted, except ex. 16, Ct. reserves ruling. Pltf. rests. Ct. reserves ruling on deft's mot/dism until conclusion of trial. Deft. presents case w/test. of wits. Certain deft. exs. placed under seal by Order of the Court.Parties rest. Deft. renews mot/dism. Ct. takes all matters under advisement & will issue ruling.(JOE-J)b		
4-9	_	TRIAL EXHIBITS. b		
5-7	131	ORDER, F/F & C/L. (JOE-J)k cps mld		
5-7	132	JUDGMENT in favor of deft. attys' fees & expenses days. HEARING on atty at 1:30 p.m. (JOE-J)	s. Bill of Costs to be ys' fees & expenses set	filed w/in 10
5-12	133	APPLICATION of deft for res	setting of hrg on attys	fees.ra (0)
5-12	134	ORDER, that hrg on atty fees for hrg on 6-30-80, 10:		30 & RESET
5-14	135	BILL OF COSTS of deft. HRG (JCS-CC)ra	SET BEFORE CLERK ON 5-2	0-80 at ll:00 a.m
5-20	anima anima anima	UPON ADVICE BY PLTF. COUNSEL Bill of Costs, costs at (JCS-Clk)k	L that there are no object taxed in the amt. of	ections to deft's \$1,512.70.
5-20	136	MOTION FOR RECONSIDERATION (of pltf.k	
5-20	137	BRIEF in support of pltf's I	mot/reconsideration.k	
5-20	МО	DEFENDANT is ordered to file reconsideration. (JOE-	e a response by 6-2-80 -J)k cps mld	to pltf's mot/
6-3	137	BRIEF of deft in resp to plt	f's mot/reconsideration	.ra

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E.E.O.C.		St. Louis-San Francisco Railway PAGE12 OF 6 PAGES	
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1980			
6-12	138	REPLY of pltf to deft's brief in opposition to mot/reconsideration.ra	
6-16	139	NOTICE by deft. to take depos. of Leon E. Eldredge & S. I. Poertner & other sundry witnesses on 6-23-80 at Springfield, MO.k	
6-18	140	ORDER that pltf's mot/reconsideration filed 5-20-80 is denied. (JOE-J)k cps mld	
6-19	141	MOTION of Pltf. for continuance of hearing on Attorney's fees and to postpone Deposition. O to J bs	
6-20	МО	PLAINTIFF'S MOTION for continuance of hrg. on atty's fees & to post- pone depo. is denied as moot based on Court's 6-18-80 Order de- nying pltf's mot/reconsideration. (JOE-J)k ltr mld/ntc by pho	
6-23	142	DEFENDANT'S EXHIBIT LIST for 6-30-80 hrg. on attys. fees & expenses, (18A through 44A inclusive)k	
6-26		DEPOSITION of Leon E. Eldredge & Stanley I. Poertner taken on 6-23-80 on behalf of defts. bs	
6-27		DEFENDANT'S EXHIBITS 44a, 45a & 46a.k	
6-30	Min.	HRG. on atty fees. Deft. allowed to substitute exhibits 26A,37A & 42A. Deft. witnesses sworn & testify. Deft. exs. 26A,28A,31A 32A,47A & 48A placed under seal by Prot.Order. Deft. granted 10 days to amend exs. 41A,42A,44A & 45A. Govt. given to 7-31-80 to resp. to brief fld this date by deft. Deft. given to 8-11-80 to resp. if desires. Argument made. Ct. to make ruling.(JOE-J)b	
6-30	143	MEMO BRIEF of deft. for hrg on attys fees & expenses. b	
6-30	144	EXHIBITS of Pltf. b (exs w/Court)	
6-30	145	EXHIBITS of Deft.(exs w/Court) b	
7-10	146	DEFTS' substituted & revised ex. list on hrg. of attys fees & expenses. hm	
7-25	147	APPLICATION & BRIEF of pltf. for introduction of further documentary evidence on attys. fees issue & for Protective Order.k Placed in manilla enveloped & SEALED by Order 7-30-80.k	
7-25	148	MOTION & BRIEF of pltf. for a Protective Order to place pltf's appl/further documentary evidence under seal.k (0)	
7-25	149	NOTICE OF APPEAL by pltf. from Order & Judg. entered 5-7-80 & from Order entered 6-18-80.k	

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	•		CIVIL	DOCKET CONTINUATION SHEET	
ſ				DEFENDANT	76-0-253
	E. E. O. C.		C.		
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	7-30	150		appl. & brief for introductio	

shall be filed under seal & shall not be made public. Court Clerk is so instructed. (JOE-J)k cps/mvt documents sealed 7-31 151 BRIEF of pltf. for hrg. on attys' fees.k MOTION & BRIEF of pltf. for a Protective Order placing pltf's brf. 7-31 152 for hrg. on attys' fees under seal.k CERT. of designation of record on appeal by pltf.-appellant.rm 8 - 4153 NOTICE by appellant of transcript order form. (est. completion date 154 8 - 48/24/80)rm-c/m counsel & USCA LETTER from 10th Cir., assigning No. 80-1797. rm 8 - 4MOTION of deft. to strike from file pltf's "further documentary 8-5 155 evidence on attys. fees issue" & for addtl. attys fees with AFFIDAVIT of Harvey L. Harmon, Sr.k MEMO BRIEF in support of deft's mot/strike & for addtl. attys fees.k 8 - 5156 ORDER, that pltf's brief in hrg on atty fees shall be filed UNDER 8-6 157 SEAL. Clk is so instructed.(JOE-J)b (Pldg #151) REPLY memo brief of Frisco for hrg on attys fees.ra 8 - 11158 RECEIVED from deft. designation of appeal record. rm 8-13 159 OPPOSITION of pltf to deft's mot/strike.ra 8-15 8-20 REPORTER'S TRANSCRIPT of hrg. on motions, had 2/22/80.(G.Dorrough-CR (pp. 1-37) rm8-20 REPORTER'S TRANSCRIPT of pretrial conf., had 3/13/80.(G.Dorrough-CR) ____ (pp. 1-31)8-20 REPORTER'S TRANSCRIPT of nonjury trial, had 4/7,88 & 9/1980.(GD-CR) (pp. 1-133)rmREPORTER'S TRANSCRIPT of nonjury trial, had 4/8/80.(GD-CR)(pp.134-27 8-20 8-20 REPORTER'S TRANSCRIPT of nonjury trial, had 4/9/80 (GD-CR) (pp.275-442) 8-20 160 TRANSCRIPT filing certificate of Glen R. Dorrough.rm c/m 10th Cir. 8-20 APPEAL RECORD (8 vols) transmitted to 10th Cir. rm "St. Louis-

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DATE	NR.			
10-30-8	0 161	ORDER,/that deft's atty fees be awarded in amt. of \$70,461.50 + add1. \$1,516.50 fees for post-hrg services for total of \$71,978.00. Ct. denies portion of applic. requesting \$17,700.4 for Mr. Rathman. Court in addition, awards sum of \$3,548.00 as reimbursement of deft's expenses(JOE-J)b c/m		
11-4-80	162	ORDER, that this Court hereby w/draws Order on attributes bursement of deft's expenses entered 10-30-80(y fees & reim- JOE-J)b c/m	
11-12	163	ORDER, that due to typo, the Court's order of 11-4 amended to read "FRCP Rule 60(b)" rather than c/m	-80 sh/be R.60(d).(JOE-J)b	
6-19-81	164	MANDATE & OPINION of 10th Cir. dismissing appeal as	premature.rm	
6-19		APPEAL RECORD (8 vols. & sealed envelope) received	from 10th Cir.rm	
8-19	165	ORDER ENTERED that deft's atty fees be awarded in a addl. \$1,516.50 fees for post-hrg services for \$71,978.00. Ct. denies portion of applic reque for Mr. Rathman. Court in addition, awards sum as reimbursement of deft's expenses (JOE-J) dm	total of sting \$17,700.45 of \$3,548.00	
8-27 MO: ORDER, Court hereby w/draws Ordered to file proposed F/F		ORDER, Court hereby w/draws Order entered 8-19-81 and ordered to file proposed F/F & C/L w/in 20 days	nd parties are (JOE-J)b n/m	
9-15	166	PROPOSED findings of fact and conclusions of law of	deft. dm	
9-15	167	MEMO BRIEF of deft in support of its proposed FF&CL attys' fees and expenses. dm	on issues of	
9-15	168	MOTION by pltf., & brief for a protective order. k	os	
9-16	169	PROPOSED FF/CL of pltf. bs (Placed under seal in V Judge Ellison on 9-17-		
9~17	170	SUPPLEMENTAL affidavit of Harvey L. Harmon, Sr. in additional attorneys' fees. dm		
9-17	171	ORDER that pltf's findings of fact and conclusions under seal and shall not be made public. (JOE-	of Law be filed J) dm c/m mov	
9-28	172	CORRECTION by deft of deft's proposed Findings of	Fact, #27. jc	
1982	-			
1-8	173	ORDER in re attys fees & deft will present an appr judgment or Order to be entered w/in 10 days.		
1-20	174	SUGGESTION to amend caption of case to read as: "S Francisco Railway Co. now Burlington Northern		

	CIVIL DOCKER CONTINUES	O., O,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		rri-man
Γ	PLAINTIFF		DEFENDANT	76-C-253-1
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	EQUEAL	EMPL	OYMENT OPPORTUNITY St. Louis-San Francisco PAGE 15 OF 8 PAGES
jų.	DATE	NR.	PROCEEDINGS
	1-21-82 1-22	175 MO	ORDER amending caption of case to read as: "St. Louis-San Francisco Railway Company, now Burlington Northern Railroad Company." (JOE-J) dm c/m mov "THIS Ct's Order of 1-8-82 is hereby vacated & replaced w/an Order Correcting the clerical errors (misnomers) found in the Ct's 1-8-82 Order. Clerk directed to mail the corrected O to both parties." (c/mo by J.McC.to ptys) jc
)	1-22	176	ORDER correcting Ct's 1-8-82 Order; Counsel for Deft to present appropriate form of jmn't or O to be entered by 2-1-82. (JOE-J)jc (c/ptys)
	1-29	177	JOURNAL Entry of Final Jmn't entered in favor of deft & agst pltf. (JOE-J)jc(c/ptys)
	2-8	178	MOTION of deft. to amend final judgment and to correct finding.nd
	2-8	179	MEMO in support of above motion.nd
	3-3		TRANSCRIPT of proceedings had on 6/30/80 on applic for atty fees. 80 pgsGRD-csr.a
	3-8	180	MEMO Brief of deft in oppos to automatic stay of enforcement of money jmn't.jc (O laying in file)
	9-23	MO	Case set for hrg. on motions on 10-15-82 at 1:00 P.M. (JOE-J)cs dkt.
	10-15	MO:	Case stricken from mot. dkt. Court to enter Order(JOE-J)b
	11-10	181	ORDER that judgment is amended to total judgment to be changed to \$83,459.00; atty fees for defts be changed to \$79,911.00. (JOE-J)a cps/mld
	11-26	182	MOTION of Pltf. and brief to stay execution & enforcement proceeding pending appeal. bv (O to J) (Brief in oppos. fld 3/8/82)
	12-16	183	MEMO of defts in opposition to pltfs mot/stay execution(enjoin) & enforcement of money judgment pending appeal.a
	12-17	184	ORDER granting execution of or any proceedings to enforce judgment stayed pending appeal by pltf. (JOE-J) bv c/m pltf
	1983 1-10	185	NOTICE OF APPEAL by pltf. from Orders of 12/9/77, 10/13/78, 5/7/80, 6/18/80, 5/7/80, 1/22/82, 1/29/82 and 11/10/82. rm - c/m USCA (no fees - govt. agency)
	1-21	***	LTR. recd. from 10th Cir. assigning Appeal No. 83-1072. pt
	1-24	186	NOTICE OF CROSS APPEAL of Deft. from the O. of Ct. of 1-22-83. pt (fees 2BN) cps/mld&USCA fto paid
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PLAINTIF	F	DEFENDANT		
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EEOC		ST. LOUIS-SAN FRANSICO RWY. CO.	PAGE AL. PAGES	
DATE 1983	NR.	PROCEEDINGS		
1-28	187	CERTIFICATE OF DESIGNATION OF RECORD ON APPEAL by Appellant. pt cps/appellant		
1-31		LTR. from 10th Cir., assigning $83 - \frac{1272}{1072}$ to cross app	peal.rm	
2-2	188	CERT. of designation of record on cross appeal by	deft. rm	
2-4	139	NOTICE of tr. order re cross appeal (tr. already or	n file)rm-c/m USCA	
2-8		APPEAL RECORDS, Vol. I thru XVII, thransmitted to	10th Cir. pt	
6-20	190	MOTION by Deft. to suppl. record on appeal & index granted by 10th Cir. pt	accordingly	
6-24		APPEAL RECORD, Suppl. Vol I, transmitted to 10th Ci	r. pt	
1984				
9-6	191	MANDATE & OPINION of 10th Cir., reversing and remain trial. rm [O to J] [file reopened]	nding for new	
9-6	192	STATEMENT OF COSTS ON APPEAL taxed in favor of pltf. & against deft. in amt. of \$2,257.52.rm		
9-7		ORIGINAL RECORD (17 Vols. & 1 Suppl. Vol.) rec'd from Tenth Circuit.		
9-7	MO	ISC set for 10-11-84 at 1:15 P.M. (JOE-J) n/m t	j	
10-10	193	STATUS CONFERENCE MEMO of deft. t		
10-11	MIN:	STATUS CONF. Discov. to 1-31-85; Motions due 2-8-85, 3-1-85. PT set 3-14-85, 1:00 p.m. NJ trial 5-6-85, 84 parties to file simult. bfs on positions re: cerfee & Court will enter order. Pltf. 0 in 20 days re	9:30 am . By 11-3∳ tain issue of atty	
10-25	194	SCHEDULING ORDER that attys for both ptys file a memo regarding the issue of attys fees to the deft by 11-30-84; ordered that the schedule for the case proceed as follows: disc. cutoff by 1-31-8 P/T motions by 2-8-85, agreed P/T/O by 3-1-85, P/T conf. will be held on 3-14-85 at 1:00 P.M. & case will be placed on non-jury docket for 5-6-85. (JOE-J) c/m tj		
11-30		MEMO of deft on attorney's fee issue. t (loose in f	ile)	
11-30	195	BRIEF of pltf regarding issue of atty's fees. t		
1-21	196	MOTION of pltf to extend time for completion of di of p/t schedule. (O TO DM) tj	isc. & for cont.	
1-31	197	OBJECTION of deft to equal employment opportunity		
1-31	198	request for six month ext. of p/t & tri MEMORANDUM in support of #197. tj	al. tj	
			DC-111A REV. (1/75)	

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1985 2-19							
2-25	200	ORDER that pltf's mo/extend time for completion of disc. & for continuance of P/T schedule is denied. All current deadlines will remain in effect. (JOE-J) c/m tj					
3-4	militaria malalaria	MOTION of pltf to production of d		to first interrograndum.(O to DM)	t(loose in file)		
3-4	201	APPLICATION of plt	f for order for	publication.(0 t	ブ <i>リー</i> 8 o DM) t		
3-12	202	APPLICATION of de compel & p (O TO J)	oltf's applic. f	ent of time to restor order for publ			
3-14	203	ORDER granting De mot/compel & appl				1	
3-14	204	PLTF'S MOTION for Sec. 1927. b (0 t		s & sanctions unde	er R. 11 & 28 USC		
3-14	205	LIST of exhibits	of pltf. tj				
3-14	206	LIST of witnesses	of pltf. tj				
3-14	207	MOTION of pltf fo & to reope	r partial s/j, ten disc. w/memor	to bifurcate the prandum in support.	proceedings, tj (O TO DM)		
3-14	MIN		ish and pltf's	mot/production.	e to work out Ptys will advise RSR-MAG for JOE-J)	dr	
3-25	208	RESPONSE of deft to pleading & bri	to pltf's mo/san lef from record.		e scandalous		
4-15	мо:	NJ trial set 5-6-8	5, 9:30 a.m.(JO	E-J)b n/m			
4-29	209	MOTION & BRIEF of	pltf for default	judgment.(O to D	M) t		
5-1	210	ORDER that case be trial on 4-7-8	e stricken from 6 @ 9:30 a.m.(JC	n/j setting of 5- DE-J) c/m t	6-85 & reset for		
5-1	211	cation & pltf	ult judgment" or 's mot/compel. t	n issue of liabili :	ty, for publi-		
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1985E	NR.	76-C-253-E PROCEEDINGS			
7-23 212 ORDER that mo/deft to dismiss is denied; Ordered that pltf's mo/fees & sanctions against deft's counsel be stayed until completion of trial; Ordered that deft's mo/strike pltf's mo/fees & sanctions is denied; Ordered that pltf's mo/par s/j be stayed until time of trial; Ordered that pltf's mo/bifurcate is denied; Ordered that pltf's mo/reopen disc. be denied as moot; Ordered that pltf's mo/default is denied; Ordered that pltf's 3-4-85 mo/compel ans to interrog. & production of documents be set for hrg on 9-11-85 at 8:30 a.m. (JOE-J) c/m tj					
9-11	MIN:	HRG. MOTION COMPEL. Mot/compel sustained in part & denied in part. DEft. given 30 days to comply w/ans. to certain interrogs. If any docs. are considered work product by deft, he is to submit for in camera view by Court & would be covered by prot. order.(JOE-J)b			
10-1		REPORTER'S transcript of proceedings had on 9-11-85, Motion Hrng. (GKD-CR) t			
1986 3-26	MO:	NJ trial stricken from 4-7-86 pending settlement, per ltr re'd by Court. Parties given 60 days to submit settl.papers or file request for Court to reschedule (JOE-J)b n/m			
5-8	213	UNOPOOSED mot/substitute counsel of pltf.(O to J) t			
5-20	214	ORDER that Dale H. Jurgens shall be substituted as lead counsel for EEOC.(JOE-J) c/m mvnt t			
5-21	215	AGREED application of pltf for extension of time to submit settle- ment papers.(O to J) t			
5-27	216	ORDER that the time allowed in the MO of 3-26-86, for submission of settle. papers or requesting the court to reschedule trial is extended by 30 days.(JOE-J) c/m t			
8-4	217	or expenses to e	ERED that case is dismissed w/p: ith pty as against each other.(8-5-86)		
8-13		EXHIBITS & DEPOS re	eturned to counsel. hm		